

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

VIRGINIA L. GIUFFRE,

Plaintiff / Counterclaim Defendant,

v.

ALAN DERSHOWITZ,

Defendant / Counterclaim Plaintiff.

Case No. 19-cv-03377-LAP

**ORAL ARGUMENT REQUESTED**

**PROFESSOR ALAN DERSHOWITZ'S MOTION TO COMPEL PRODUCTION OF  
CERTAIN ATTORNEY-CLIENT COMMUNICATIONS ON THE BASIS OF WAIVER,  
OR, IN THE ALTERNATIVE, REQUEST FOR ZOLIN EXAMINATION**

For the reasons set forth in the accompanying memorandum of law, Defendant and Counterclaim Plaintiff Alan Dershowitz (“Professor Dershowitz”) respectfully requests that the Court: i) rule that Plaintiff and Counterclaim Defendant Virginia Giuffre has waived any privilege over communications with her then-counsel concerning her accusations against Professor Dershowitz made in filings in *Jane Doe #1 & Jane Doe #2 v. United States*, No. 08-80736-CIV-Marra (S.D. Fla.), the decision to simultaneously assert claims against Leslie Wexner (privately), and the relationship between those two decisions; and ii) order the production of all such communications. In the alternative, Professor Dershowitz requests the Court order those same communications produced to the Court *in camera* for an examination pursuant to *United States v. Zolin* to determine whether the privilege has been negated by the crime-fraud exception. Professor Dershowitz respectfully requests that the Court hold oral argument on his Motion.

Respectfully submitted,

ALAN DERSHOWITZ,

By his attorneys,

*/s/ Howard M. Cooper*

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Dated: May 4, 2021

#### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was sent via the Court's electronic filing system, and served to all counsel of record on May 4, 2021.

*/s/ Christian G. Kiely*

Christian G. Kiely